

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

### **I. DISPUTE**

1. a. Whether there should be reimbursement of \$464.00 for date of service 12/05/01.
- b. The request was received on 02/14/02.

### **II. EXHIBITS**

1. Requestor, Exhibit I:
  - a. TWCC 60 and undated Letter Requesting Dispute Resolution
  - b. HCFA(s)-1500
  - c. TWCC 62 forms
  - d. Medical Records
  - e. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.
2. Respondent, Exhibit II:
  - a. TWCC 60 and undated Response to a Request for Dispute Resolution
  - b. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.
3. Per Rule 133.307 (g) (3), the Division forwarded a copy of the requestor's 14 day response to the insurance carrier on 04/23/02. Per Rule 133.307 (g) (4), the carrier representative signed for the copy on 04/24/02. The response from the insurance carrier was received in the Division on 05/01/02. Based on 133.307 (i) the insurance carrier's response is timely.
4. Notice of Medical Dispute is reflected as Exhibit III of the Commission's case file.

### **III. PARTIES' POSITIONS**

1. Requestor: Undated letter:

"In this package you will find that we have stated our position substantively for each claim or date of service that was not paid in full....We believe that payment is due for these procedures and should be forwarded immediately." On the Table of Disputed Services, the provider addressed each CPT code according to the Medical Fee Guideline.

2. Respondent: Undated Letter:  
 “This carrier denied the charges in dispute with explanation code ‘A’ for no preauthorization. The injured worker received 8 weeks of physical therapy.... preauthorization was required for date of service 12/05/01.

#### IV. FINDINGS

- Based on Commission Rule 133.307(d) (1) (2), the only date of service eligible for review is 12/05/01
- The provider billed \$329.00 for date of service, 12/05/01. The carrier did not reimburse the provider for billed services. The amount in dispute is \$329.00. The provider’s Table of Disputed Services “amount billed” and “amount in dispute” is incorrect. The provider’s Table states \$464.00 as the amount billed and the amount in dispute.
- The carrier denial explanation code is “A – PREAUTHORIZATION REQUIRED BUT REQUESTED.”
- The following table identifies the disputed services and Medical Review Division's rationale:

DOS	CPT or Revenue CODE	BILLED	PAID	EOB Denial Code(s)	MARS	REFERENCE	RATIONALE:
12/05/01 12/05/01	97265 97032	\$43.00 \$22.00	\$0.00 \$0.00	A A	\$43.00 \$22.00 per 15 mins	Rule 134.600 (h) (10);	According to Rule 134.600 (h) (10), “The health care treatments and services requiring pre-authorization are: (10) physical therapy or occupational therapy beyond eight weeks of treatment.”  The carrier submitted documentation which indicates the claimant’s 8 weeks of physical therapy ended on 12/04/01, therefore, the dos, 12/05/01 required pre-authorization.  <b>No reimbursement is recommended.</b>
12/05/01 12/05/01	97214 97113	\$56.00 \$208.00	\$0.00 \$0.00	A A	\$28.00 \$52.00 per 15 mins		
<b>Totals</b>		\$329.99	\$0.00				The Requestor <b>is not</b> entitled to reimbursement.

The above Findings and Decision are hereby issued this 18th day of July 2002.

Donna M. Myers, B.S.  
 Medical Dispute Resolution Officer  
 Medical Review Division

DMM/dmm

This document is signed under the authority delegated to me by Richard Reynolds, Executive Director, pursuant to the Texas Workers’ Compensation Act, Texas Labor Code Sections 402.041 - 402.042 and re-delegated by Virginia May, Deputy Executive Director.